

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 959, FOOD AND DRUGS ACT.

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#### MISBRANDING OF "PINEAPPLE" ORANGES.

On or about March 8, 1911, S. J. Sligh & Co., Jacksonville, Fla., shipped from the State of Florida into the State of Louisiana a consignment of 355 boxes of oranges labeled on one end of each box "Pineapple Oranges," with an additional qualifying label, reading "Golden Russet" on about one half of the shipment, and "Bright" on the other half. An investigation made by the Bureau of Chemistry, United States Department of Agriculture, showed that the oranges in question were not of that grade commercially known as "Pineapple Oranges," but consisted of other and inferior grades. As it appeared from the investigations of the Bureau and report thereon that the shipment was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, and was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Louisiana.

In due course a libel was filed in the District Court of the United States for said district against the said 355 boxes of oranges, charging the above shipment and alleging that the product so shipped was misbranded because it was labeled as above set forth, which labeling indicated that the boxes in question contained "pineapple" oranges, when in truth and in fact said boxes did not contain said grade, which is well known to the trade by that name, the label in question being, therefore, false and misleading, as by means of the word "pineapple" the product was offered for sale under the distinctive name of another article, to wit, genuine "pineapple" oranges, and praying seizure, condemnation, and forfeiture of the product. Thereupon Oliver P. Bartlett appeared as agent of the said S. J. Sligh & Co., filed a claim to the above product, and admitted the truth of the allegations of the above libel.

The cause coming on for hearing on the above libel and claim, the court, being fully informed in the premises, issued its decree finding

the product to be misbranded as alleged in said libel, and condemning and forfeiting the product to the use of the United States, with the proviso, however, that it should be released to said claimant upon payment of the costs of these proceedings and the execution and delivery of a good and sufficient bond in the sum of \$500, conditioned that said oranges should not be sold or otherwise disposed of contrary to law. The costs having been paid and bond furnished in accordance with the terms of the above decree, the product was forthwith released to the claimant.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *June 16, 1911.*

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